

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING
LITIGATION**

Case No. 2:23-md-3080 (BRM)(RLS)

MDL No. 3080

THIS DOCUMENT RELATES TO: All Tracks

**DECLARATION OF ANDREW YAPHE
IN SUPPORT OF MOTION TO SEAL**

I, Andrew Yaphe, hereby declare as follows:

1. I am an attorney with the law firm Davis Polk & Wardwell LLP, counsel for defendant Novo Nordisk Inc. in the above-captioned matter, licensed to practice law in the State of California and admitted to this Court *pro hac vice*.

2. On behalf of defendant Novo Nordisk Inc. (“NNI”), I submit this Declaration in support of Defendants’ Motion to Seal. I have personal knowledge of the matters contained herein and, if called upon to do so, could testify competently to their truth.

3. Attached hereto as Exhibit 8 is a true and correct copy of an email thread produced in this case with Bates number NNI-IP-MDL_002550789, which has been redacted solely to shield the mobile phone number of an NNI employee from public disclosure.

4. I believe that NNI and the employee both have a significant interest in keeping such personal identifying information under seal. *See, e.g., Bah v. Apple Inc.*, 2021 WL 4272829, at *3 (D.N.J. Sept. 21, 2021) (granting motion to seal “personal identifying information,” including phone numbers, and explaining that “the public has no interest in [such] information”). I am not aware of another method to protect the confidentiality of the employee’s mobile phone number other than by redacting the portion of the document that includes that information.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 20, 2025 at Redwood City, California.



Andrew Yaphe

EXHIBIT 8

From: RTAN (Robert Anderson) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CBA8D570737142D8809D902FFE806BBC-RTAN (ROBER)>
To: MNRT (Mike Norton - Dir)
CC: KRHL (Kate Taylor); PCMB (Paul Chambless)
Sent: 7/1/2022 6:19:48 PM
Subject: FW: Emisar/Novo GPO Agreement - Redlines for review
Importance: High
Attachments: Emisar_GPO_AGR_V4 (NNI comments 06302022).docx

Hi Mike,

Please see attached. While I appreciate the redlines for Emisar moving forward, NALT may want to reiterate with PCOR that a strict process of review by the account team be put into place BEFORE anything is sent directly to our customer.

Not having advanced input can cause a serious problem if we are not aligned. We are in the final stages of implementing a base contract that has been in the works for many months.

The process in the past is that I forward all redlines to the customer which affords an opportunity for checks and balances.

Thanks,

Robert

Robert Anderson
National Account Director
Market Access & Public Affairs

415-203-2342 (direct) | rtan@novonordisk.com

From: RBAL (Rebecca Baldi) <rbal@novonordisk.com>
Sent: Friday, July 1, 2022 10:47 AM
To: Sudan, Saloni <saloni.sudan@optum.com>; Daly, Jack <jack.daly@optum.com>
Cc: RTAN (Robert Anderson) <rtan@novonordisk.com>; AITP (Amit Patel) <aitp@novonordisk.com>
Subject: Emisar/Novo GPO Agreement - Redlines for review

Hi Jack & Saloni,

Please see our comments and edits in the attached GPO Agreement for your review and consideration. If you have any questions while conducting your review, please let me know.

Thank you!

Rebecca Baldi
Assoc. Manager - Contract Management & Compliance
Finance & Operations
+1 609 [REDACTED] (mobile)
+1 609 786 5245 (direct)
RBAL@novonordisk.com

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